

# EXHIBIT A

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

SCOTT ALLEN TOMEI,

Plaintiff,

v.

PARKWEST MEDICAL CENTER and  
COVENANT HEALTH,

Defendants.

Civ. No. 3:19-CV-41

**AFFIDAVIT OF SCOTT  
ALLEN TOMEI**

STATE OF TENNESSEE )  
                        ) ss.:  
COUNTY OF             )

Scott Allen Tomei, being duly sworn, hereby deposes and says as follows:

1. I am the Plaintiff in the above reference matter, and I submit this Affidavit in support of Plaintiff's Opposition to Defendant's Motion for Summary Judgment.
2. I am a profoundly deaf individual.
3. My primary and preferred means of communication is American Sign Language.
4. My current address is 128 Johnson Drive, Lenoir City, TN 37771.
5. As explained in my Complaint, Parkwest Medical Center ("Parkwest") has failed to provide effective communication and discriminated against me on the basis of my disability.
6. I have visited Parkwest since approximately 2002 (year).
7. I have visited Parkwest approximately 7~8 times before the events at issue.
8. I did not return to Parkwest since the events at issue because I was deterred from doing so based on Parkwest's failure to provide effective communication and the discrimination I experienced there, as explained in my Complaint.

9. I have a definite plan to return to Parkwest in the future but am currently deterred from doing so because of Parkwest's failure to provide effective communication and the discrimination I experienced there, as explained in my Complaint.

10. I would like to visit Parkwest to avail myself of the services and care available at Parkwest.

11. I would also like to visit Parkwest to assure that it is in compliance with the ACA, so that myself and other deaf and hard of hearing individuals, or their companions, will have full and equal enjoyment of Parkwest's facilities, services, or programs without fear of discrimination.

12. I stated during my deposition that I prefer other hospitals to Parkwest because of Parkwest's failure to provide effective communication and the discrimination I experienced there, as explained in my Complaint.

13. If I have a need for a large hospital in the future, I would like to visit Parkwest if it provides effective communication according to the laws and if does not discriminate against me.



SCOTT ALLEN TOMEI

Subscribed to and sworn before me  
This 27<sup>th</sup> day of February, 2020.



Starlet Rene' Summitt  
Notary Public  
1-28-2024

